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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/902,729	07/12/2001	Joann Ruvolo	ARC20010011US1	9516

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EXAMINER	
POLLACK, MELVIN H	

ART UNIT	PAPER NUMBER
2145	

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/902,729	RUVOLO ET AL.	
	Examiner	Art Unit	
	Melvin H. Pollack	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 February 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☒ Other: *see attached office action*.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 23 February 2006 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 7-14, 18-23, 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Shuman et al. (6,708,202).

5. For claims 1, 10, Shuman teaches a method and system (abstract) for automatically retrieving and rendering information regarding a source of incoming communications (col. 1, line 1 – col. 5, line 35 and col. 18, line 10 – col. 19, line 10), said method comprising a plurality

of steps, one or more of said steps implemented locally or remotely (col. 4, lines 20-35), said method comprising:

a. Receiving an incoming communication from a source intended for one or more recipients (Fig. 3; Fig. 9, #910), said incoming communications comprising a plurality of communication types further comprising at least one of e-mail, telephone, fax, IM, collaborative message, or combination thereof (col. 3, lines 60-65 and col. 6, lines 30-50);

b. Detecting identity of said source (Fig. 9, #915 and #920; col. 11, lines 24-30; col. 12, lines 15-20 and lines 45-55);

c. Retrieving from a database (col. 16, lines 40-45), data regarding said detected source (col. 16, lines 3-6), and extracting data comprising any of, or a combination of, the following information: to-do entries, future and past events, journal entries, and profile information (col. 11, lines 25-30; col. 13, lines 33-35 and col. 15, line 55 – col. 16, line 5);

d. Summarizing said extracted data (Fig. 9, #925; col. 14, line 25 – col. 15, line 15);

e. Notifying said one or more recipients of said incoming communication (Figs. 4-6); and

f. Rendering said data in one or more electronic devices associated with said one or more recipients of said incoming communication (Fig. 7, #720 and #730).

6. For claim 2, Shuman teaches that said combination of retrieved data comprises the following information: to-do entries, future and past event entries (col. 13, lines 34-36).

7. For claim 3, Shuman teaches that said incoming communication is sent via any of the following: sockets, Java Messaging Queue (JMQ), remote procedure call (RPC) or remote method invocation (RMI) (Fig. 1, #30 and #34; Fig. 3, #320, wherein MAPI messaging systems utilize sockets).

8. For claim 4, Shuman teaches that said step of extracting data is performed over one or more networks (col. 4, lines 25-35).

9. For claims 7, 11, 19, Shuman teaches that said data is extracted from any of the following databases: an event database containing one or more recorded events, a to-do database containing one or more actions to be performed, a journal database containing one or more journal entries, or a profile database containing one or more profiles associated with one or more clients (col. 1, lines 30-40; col. 4, lines 10-20; col. 9, lines 5-20; and col. 11, lines 20-30).

10. For claims 8, 12, Shuman teaches extracting additional data related to said detected source from the World Wide Web (WWW) (col. 4, lines 25-35).

11. For claims 9, 13, Shuman teaches that said extracted data includes said profile data (col. 10, lines 30-35).

12. For claim 14, Shuman teaches a system (abstract) for automatic retrieval and rendering of information related to one or more sources (col. 1, line 1 – col. 5, line 35; col. 18, line 10 – col. 19, line 10), said system comprising:

a. One or more databases (Fig. 1, #33) storing information related to one or more sources (col. 14, lines 15-20), said databases accessible over one or more networks (Fig. 1, #12 and #13);

b. One or more device agents (Fig. 1, #34; Figs. 3 and 4) detecting incoming communications from said sources (Fig. 9, #910), said incoming communications comprising a plurality of communication types further comprising at least one of e-mail, telephone, fax, IM, collaborative message, or combination thereof, said device agents further extracting identity of said sources (col. 3, lines 60-65; col. 6, lines 30-50);

c. A retrieval manager operatively linked to said agents (Fig. 1, #34) initiating retrieval of data (col. 16, lines 40-45), regarding said identified sources (col. 16, lines 3-6), from said databases, and

d. A presenter operatively linked to said retrieval manager (Fig. 1, #31 and #32) rendering said retrieved data in one or more electronic devices (Figs. 6-8).

13. For claim 18, Shuman teaches that said requests for communication are any of the following: a pager message, an e-mail message, or a telephone call (col. 6, lines 30-50).

14. For claim 20, Shuman teaches that said electronic devices are any of the following: telephones, mobile telephones, WAP-enabled telephones, pagers, personal digital assistants (PDAs), electronic tablets, personal computers (PCs), mobile computers, laptops, or wireless computer-based devices (col. 5, line 45 – col. 6, line 25).

15. For claim 22, Shuman teaches that said networks comprise any of the following: local area network (LAN), wide area network (WAN), wireless network, or Internet (col. 6, lines 30-50).

16. For claim 21, Shuman teaches that said system further comprises one or more entries locators associated with said one or more databases identifying specific calendar entries associates with said one or more sources (col. 12, lines 45-55), and a gatherer collecting and

passing said identified specific calendar entries to said retrieval manager (col. 15, line 55 – col. 16, line 10).

17. For claims 23, 27, Shuman teaches a method and system (abstract) for facilitating business transactions (col. 1, line 1 – col. 5, line 35; col. 18, line 10 – col. 19, line 10), based on information retrieved over the World Wide Web (col. 4, lines 25-35), said method comprising:

a. Receiving an incoming communication (Fig. 9, #910) from a business (Figs. 10-12), said incoming communication comprising a plurality of communication types further comprising at least one of e-mail, telephone, fax, IM, collaborative message, or combination thereof (col. 11, lines 25-30; col. 13, lines 33-35; col. 15, line 55 – col. 16, line 5);

b. Detecting identity of said business (Fig. 9, #915 and #920; col. 11, lines 24-30; col. 12, lines 15-20 and 45-55);

c. Accessing the World Wide Web and retrieving and extracting information related to said detected identity (col. 16, lines 3-6);

d. Summarizing said extracted information (Fig. 9, #925); and

e. Performing a business transaction based on said summarized information (Figs. 6-8; col. 15, lines 15-55).

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

19. Claims 5, 15, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuman as applied to claims 1, 10, 23 above, and further in view of Higgins et al. (US 2002/0116505).

20. For claims 5, 15, Shuman does not expressly disclose that said extracted data is in iCalendar format. Shuman does disclose extraction of data from an external source, including a control to open the calendar program (col. 15, line 55 – col. 16, line 10), but does not provide limitations on the type of calendar data or the method of external data access. Higgins teaches a method and system (abstract) of providing calendar information from an external source to an application program requesting said data (Paras. 1-23 and 29 and 85), wherein the extracted data is in an iCalendar format (Paras. 58-61). At the time the invention was made, one of ordinary skill in the art would have added Higgins iCalendar formatting, along with Higgins method of client-server interaction to provide calendar data from an external source, to Shuman in order to determine a method of implementing Shuman's proposed features in a Shuman distributed system environment, and further to provide the benefits of an XML process such as a streamlined communication without need of translation (Para. 43).

21. For claim 25, Shuman teaches that said method further comprises the step of rendering said summarized information in one or more electronic devices associated with one or more clients (Fig. 1), but does not expressly disclose that information is rendered in a browser enabled electronic device. Higgins teaches this limitation (Para. 34). At the time the invention was made, one of ordinary skill in the art would have added browser functionality to Higgins in order to provide a simpler user interface (Para. 7).

22. Claims 6, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shuman and Higgins as applied to claims 1, 5, 10, 15 above, and further in view of Cortright (6,828,989).

23. For claims 6, 16, Shuman does not expressly disclose chronologically ordering said extracted data in iCalendar format. Shuman does disclose determining whether a certain time period conflicts with or is proximate to another calendar item (col. 15, lines 59-62), but does not expressly disclose implementation methods regarding how the system determines whether there is a conflicting or adjacent appointment. Higgins teaches that such appointment data may be in iCalendar format (see above), but does not expressly disclose the operations of the calendar server or client applications. Cortright teaches a method and system (abstract) of a calendar management application system (col. 1, line 1 – col. 4, line 55), wherein calendar data is extracted from an external source (Fig. 2, #240; Fig. 3, #300), and then sorted in chronological (sequential) order (Fig. 3, #310; col. 10, line 29 – col. 12, line 40). At the time the invention was made, one of ordinary skill in the art would have provided Cortright's sorting and presentation method to Shuman in order to determine implementation of determining date proximity, and to further Shuman's goal of organizing and managing data such that critical information is not overlooked (col. 1, lines 35-50).

24. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuman as applied to claim 14 above, and further in view of Belfiore et al. (6,990,513).

25. For claim 17, Shuman does not expressly disclose that at least one of said one or more databases is a relational database that is accessible via search query language (SQL). Belfiore teaches a method and system (abstract) of a distributed computing system (title) for facilitating

communications and retrieval of data from external sources for applications (col. 1, line 1 – col. 5, line 60), said data including calendar data and business related data (col. 12, line 55 – col. 13, line 60), wherein said databases are relational databases accessible via SQL (col. 28, line 25 – col. 29, line 67). At the time the invention was made, one of ordinary skill in the art would have utilized Belfiore's database system in Shuman in order to simplify the handling of complex data manipulation (col. 29, lines 30-40).

26. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuman as applied to claim 23 above, and further in view of Bowman-Amuah (6,704,303).

27. For claim 24, Shuman does not expressly disclose that said communication is a telephonic communication, but does disclose connection to a telephone network (col. 6, line 39). Bowman teaches a method and system (abstract) of combining telephone and data communications for using telephone call handling in computer applications (col. 1, lines 1-55), and in particular that such calls utilize a source identity (col. 33, line 25 – col. 39, line 55) that may be utilized for gathering and using information (col. 39, line 55 – col. 48, line 67). At the time the invention was made, one of ordinary skill in the art would have added a telephony connection to Shuman in order to provide interoperability between services (col. 1, lines 30-35).

28. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shuman as applied to claim 23 above, and further in view of Sandhu et al. (6,347,307).

29. For claim 26, Shuman does not expressly disclose that said business transaction is a transaction related to financial securities. Sandhu teaches a method and system (abstract) of

performing transactions related to financial securities (col. 1, line 1 – col. 2, line 45), wherein communications are linked to calendar servers in order to perform financial securities (col. 4, lines 20-55). At the time the invention was made, one of ordinary skill in the art would have utilized Sandhu data in Shuman so as to expand Shuman's functionality and interactivity (col. 3, lines 50-65).

Conclusion

30. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. They comprise further teachings on calendar programs, and on receiving and transmitting said data. They further comprise teachings on iCalendar information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melvin H. Pollack whose telephone number is (571) 272-3887. The examiner can normally be reached on 8:00-4:30 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHP
11 May 2006

Melvin H. Pollack
AU 2145